

information, which indicates that Petitioner is unemployed, receives no other income, has no assets, and is currently being detained at the South Texas Detention Complex at Pearsall, Texas. Petitioner does not have sufficient monthly resources available to pay the filing fee. Accordingly, the Court will grant the motion to proceed IFP.

IT IS THEREFORE ORDERED that Petitioner's application to proceed *in forma pauperis* [#1] is **GRANTED**.

IT IS FURTHER ORDERED that Petitioner's Petition for Writ of Habeas Corpus [#1-1] shall be filed by the Clerk without prepayment of fees, costs or the giving of security, and the Clerk shall, until further Order of this Court, waive the collection of any other fees or costs from Plaintiff.

IT IS FINALLY ORDERED that, if not already accomplished, within **ten (10) days** of the date of this Order, Petitioner shall **either**

- Submit to the Clerk's Office a fully completed United States Marshal Service Form 285, including fully complete addresses, for each Defendant required to be served and the United States Marshal's Service shall serve each defendant with a copy of the Complaint and a copy of this order by certified mail, return receipt requested; or
- Through counsel, request issuance of summons from the Clerk and serve each Defendant required to be served with a copy of the summons, complaint, and a copy of this Order by certified mail, return receipt requested, if possible. *See* Fed. R. Civ. P. 4(e)(1) (permitting service pursuant to state law); Tex. R. Civ. P. 106(a)(2) (permitting service by certified or registered mail by a person authorized to serve by Rule 103); Tex. R. Civ. P. 103 (permitting service by certified or registered mail by sheriff, constable, clerk, or any person authorized by law).

IT IS SO ORDERED.

SIGNED this 10th day of February, 2020.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE